

SENATE BILL 345

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2003 Regular Session
3r1530
CF 3r1531

By: **Senator McFadden (By Request - Baltimore City Administration)**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2003

CHAPTER _____

1 AN ACT concerning

2 ~~Alcohol and Drug Abuse Administration~~ **Baltimore City Health Department -**
3 **Designation of Nonprofit and Quasi-Governmental Entities by Local Health**
4 **Departments - Alcohol and Drug Abuse Administration Funds**

5 FOR the purpose of authorizing ~~a local health department~~ the Baltimore City Health
6 Department to designate certain nonprofit and quasi-governmental entities in
7 Baltimore City to receive certain funds from the Alcohol and Drug Abuse
8 Administration; authorizing ~~a local health department~~ the Baltimore City
9 Health Department to revoke its designation of a nonprofit or
10 quasi-governmental entity except in certain circumstances; requiring the
11 Administration to disburse certain funds directly to certain nonprofit or
12 quasi-governmental entities; providing that the Administration shall have a
13 direct relationship with certain nonprofit or quasi-governmental entities;
14 providing that the Administration shall have certain rights and remedies with
15 certain nonprofit or quasi-governmental entities; defining certain terms; and
16 generally relating to the designation of nonprofit or quasi-governmental
17 entities by ~~local health departments~~ the Baltimore City Health Department.

18 BY adding to
19 Article - Health - General
20 Section 8-901 and 8-902, inclusive, to be under the new subtitle "Subtitle 9.
21 Nonprofit or Quasi-Governmental Organizations"
22 Annotated Code of Maryland
23 (2000 Replacement Volume and 2002 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Health - General**

2 SUBTITLE 9. NONPROFIT OR QUASI-GOVERNMENTAL ORGANIZATIONS.

3 8-901.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.6 (B) "DESIGNEE" MEANS A NONPROFIT OR QUASI-GOVERNMENTAL ENTITY
7 DESIGNATED BY ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT TO RECEIVE
8 FUNDS FROM THE ADMINISTRATION TO PLAN, MANAGE, MONITOR, AND DISBURSE
9 FUNDS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS.

10 (C) "NONPROFIT ENTITY" MEANS:

11 (1) ~~AN A LAND-BASED~~ ORGANIZATION THAT QUALIFIES UNDER § 501(C)
12 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; OR13 (2) ANY SIMILAR LAND-BASED ENTITY THAT DOES NOT OPERATE FOR
14 PROFIT.15 (D) (1) "QUASI-GOVERNMENTAL ENTITY" MEANS ~~AN A LAND-BASED~~
16 ORGANIZATION CREATED BY A UNIT OF GOVERNMENT TO PLAN FOR THE USE OF,
17 MONITOR, DISBURSE, AND MANAGE PUBLIC FUNDS.18 (2) "QUASI-GOVERNMENTAL ENTITY" INCLUDES BALTIMORE
19 SUBSTANCE ABUSE SYSTEMS, INC.

20 8-902.

21 (A) ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT MAY DESIGNATE A
22 NONPROFIT OR QUASI-GOVERNMENTAL ENTITY IN BALTIMORE CITY TO RECEIVE
23 FUNDS FROM THE ADMINISTRATION TO PLAN, MANAGE, MONITOR, AND DISBURSE
24 FUNDS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS.25 (B) ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT MAY REVOKE ITS
26 DESIGNATION OF A NONPROFIT OR QUASI-GOVERNMENTAL ENTITY AT ANY TIME
27 EXCEPT TO THE EXTENT THAT THE ADMINISTRATION, THE DESIGNEE, OR BOTH
28 HAVE ACTED IN RELIANCE ON THE DESIGNATION.29 (C) IF ~~A LOCAL~~ THE BALTIMORE CITY HEALTH DEPARTMENT DESIGNATES A
30 NONPROFIT OR QUASI-GOVERNMENTAL ENTITY TO RECEIVE FUNDS, THE
31 ADMINISTRATION SHALL DISBURSE FUNDS BUDGETED FOR THE ~~LOCAL~~ BALTIMORE
32 CITY HEALTH DEPARTMENT DIRECTLY TO THE ~~LOCAL HEALTH~~ DEPARTMENT'S
33 DESIGNEE.34 (D) THE ADMINISTRATION SHALL HAVE A DIRECT RELATIONSHIP WITH THE
35 DESIGNEE.

1 (E) THE ADMINISTRATION SHALL HAVE THE SAME RIGHTS AND REMEDIES
2 WITH THE DESIGNEE AS IT WOULD OTHERWISE HAVE WITH THE ~~LOCAL~~ BALTIMORE
3 CITY HEALTH DEPARTMENT.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2003.